

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

Introduced by: The Council President
At the request of: The Administration (Department of Planning)

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Building and Fire Codes – Structures on Piers

FOR the purpose of authorizing in the B-2 through B-5 Districts, as a conditional use that requires approval by ordinance, structures on piers; defining certain terms; specifying certain required findings, conditions, and considerations for a conditional use; establishing certain fire-safety and other requirements; correcting, clarifying, and conforming certain language; and generally relating to the construction and maintenance of structures on piers.

BY adding

Article - Zoning
Section(s) 1-193.1, 1-196.1, 6-309(13), 6-509(5), and 14-353
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 423.6)
Baltimore City Revised Code
(Edition 2000)

BY adding

Article - Building, Fire, and Related Codes
Section(s) 8-102 (IFC § 511)
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **WARNING:** THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Article – Zoning

§ 1-193.1. STRUCTURE ON PIER.

“STRUCTURE ON PIER” MEANS ANY STRUCTURE:

- (1) THAT IS ERECTED ON A PIER, WHARF, DOCK, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE; AND
- (2) THE USES OF WHICH ARE OTHERWISE ALLOWED IN THE UNDERLYING DISTRICT.

§ 1-196.1. WATER-DEPENDENT FACILITIES.

“WATER-DEPENDENT FACILITIES” HAS THE MEANING STATED IN § 8-301 {“CRITICAL AREA OVERLAY DISTRICT: DEFINITIONS”} OF THIS ARTICLE.

§ 6-309. Conditional uses – Ordinance required.

In a B-2 District, conditional uses that require approval by ordinance are as follows:

- (13) STRUCTURES ON PIERS, OTHER THAN WATER-DEPENDENT FACILITIES.

§ 6-509. Conditional uses – Ordinance required.

In a B-4 District, conditional uses that require approval by ordinance are as follows:

- (5) STRUCTURES ON PIERS, OTHER THAN WATER-DEPENDENT FACILITIES.

§ 14-353. STRUCTURES ON PIERS.

(A) *REQUIRED FINDINGS AND CONDITIONS.*

FOR STRUCTURES ON PIERS, OTHER THAN WATER-DEPENDENT FACILITIES, THE CITY COUNCIL MUST FIND, AND REQUIRE AS A CONDITION OF APPROVAL, THAT:

- (1) THE PIER IS AT LEAST 60 FEET WIDE; AND
- (2) THE PIER, THE STRUCTURE, AND THEIR USES COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS GOVERNING STRUCTURES ON PIERS, INCLUDING:
 - (I) THE CHESAPEAKE BAY CRITICAL AREA PROTECTION LAW;
 - (II) THE BALTIMORE CITY CRITICAL AREA MANAGEMENT PROGRAM;
 - (III) THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY; AND
 - (IV) STATE ENVIRONMENT ARTICLE § 16-104 {“CONSTRUCTION ON PIERS”}.

(B) *REQUIRED CONSIDERATIONS.*

IN ADDITION, THE CITY COUNCIL MUST CONSIDER THE PROPOSED USE IN RELATION TO THE PLANNING COMMISSION'S COMMERCIAL ZONE PIER DEVELOPMENT PLAN AND THAT PLAN'S PROVISIONS ON:

- (1) VEHICLE AND PEDESTRIAN ACCESS;
- (2) VIEW CORRIDORS;
- (3) ENVIRONMENTAL PROTECTIVE MEASURES; AND
- (4) OTHER MEASURES APPLICABLE TO STRUCTURES ON PIERS.

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Section 423 Piers and Marinas

423.6 [Buildings] STRUCTURES on piers. [All buildings] Every STRUCTURE that [are] IS constructed on [freestanding piers located along the shore line] A PIER, WHARF, DOCK, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE must comply with this § 423 and all other applicable provisions of this Code AND OTHER LAW.

Part VIII. International Fire Code

§ 8-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

SECTION 511 STRUCTURES ON PIERS

511.1 DEFINITIONS. IN THIS SECTION, “PIER” MEANS ANY PIER, WHARF, DOCK, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE.

511.2 GENERAL. EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER MUST COMPLY WITH THE REQUIREMENTS OF THIS § 511 AND ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

511.3 CHAPTER 28 OF NFPA 1. THE PIER AND STRUCTURE MUST COMPLY WITH CHAPTER 28 {“MARINAS AND BOATYARDS”} OF NFPA 1, *UNIFORM FIRE CODE* (2003 EDITION), SUBJECT ONLY TO THE FOLLOWING MODIFICATION.

511.3.1 FLOW TESTS. FLOW TESTS MUST BE CONDUCTED UNDER TABLE 6.1 AND § 6.3.1 OF NFPA 25, *STANDARD FOR THE INSPECTION, TESTING, AND MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEMS* (2002 EDITION), ANNUALLY (RATHER THAN, AS THERE STATED, “EVERY 5 YEARS”).

511.4 PIER MATERIAL. THE PIER MUST BE MADE OF OR ENCASED BY NON-CUMBUSTIBLE MATERIALS. THE STRUCTURE ON THE PIER MUST BE OF TYPE I, TYPE II, OR TYPE III CONSTRUCTION.

511.5 SPRINKLER PROTECTION. THE ENTIRE STRUCTURE ON THE PIER MUST BE SPRINKLERED.

511.6 SEPARATION. THE SEPARATION BETWEEN STRUCTURES ON A PIER MUST BE AT LEAST 30 FEET.

511.7 STANDPIPES AND HYDRANTS. STANDPIPES (FIRE DEPARTMENT CONNECTIONS) MUST BE PROVIDED ON THE PIER AT LEAST EVERY 100 FEET. HYDRANTS MUST BE INSTALLED WITHIN 100 FEET OF A STANDPIPE.

511.8 EMERGENCY VEHICLE ACCESS. THE PUBLIC PROMENADE MUST BE DESIGNED AND CONFIGURED TO ACCOMMODATE FIRE, AMBULANCE, AND OTHER EMERGENCY VEHICLES. ACCESS FOR EMERGENCY VEHICLES MUST BE PROVIDED TO WITHIN AT LEAST 450 FEET OF THE FARTHEST EDGE OF THE STRUCTURE. THE FIRE LANE MUST BE AT LEAST 20 FEET WIDE.

511.9 FIRE BOAT ACCESS. ACCESS FOR FIRE BOATS MUST BE PROVIDED TO WITHIN AT LEAST 50 FEET OF THE FARTHEST EDGE OF THE STRUCTURE. THE WATER DEPTH OF THAT ACCESS MUST BE AT LEAST 10 FEET (MEAN LOW WATER MARK).

511.10 TIE-UPS. MARINA SLIPS ARE PROHIBITED WITHIN 30 FEET OF ANY STRUCTURE ON A PIER. TRANSIENT (I.E., HOURLY OR DAILY) TIE-UPS ALONG A BULKHEAD ARE ONLY ALLOWED ADJACENT TO COMMERCIAL STRUCTURES AND NO CLOSER THAN 15 FEET FROM THE STRUCTURE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.